WP(C) 2548/2007

BEFORE

HON’BLE JUSTICE RANJAN GOGOI

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Both the writ petitions having raised common questions of law and fact were considered together and as agreed to by the learned counsels for the parties both the writ petitions are being disposed of by the present common order on the basis of the written instructions placed before the Court by the learned Govt. Advocate, Sri B. J. Talukdar.

The writ petitioners in the two cases under consideration had submitted applications for selection and appointment in the post of Junior Inspector/Auditor of Cooperative Societies. Against the advertisement and selection process involving 39 numbers of posts over 17,000 candidates applied out of which 11,236 candidates appeared in the written examination held in different centers of the State of Assam. The aforesaid facts are evident from the written instructions placed before the Court by Sri B. J. Talukdar, learned Govt. Advocate, Assam.

In the aforesaid written instructions it has been further submitted that as the number of candidates who had applied was abnormally high, keeping in view the limited number of posts available i.e. 39 the duly constituted selection committee took the decision to have 65 % marks in the written tests as a condition of eligibility for being called for the interview. In the said written instructions it has been further submitted that the recruitment was held centrally, though, for reasons of convenience the written examination was held in different centers. The viva voce test was also held centrally.

The case of the petitioners, as pleaded and argued, seems to be that they had performed well in the written tests but were not called for the interview. Individual perceptions of a candidate as to how he/she had performed cannot constitute to be a sufficient ground for interference of the Courts as others who are not before the Court may have performed better. No allegation of malafide/irregularity or unfair conduct of the selection process with reference to any specific facts has been made in the present writ petitions.

In the above facts, the Court is inclined to take the view that the present would not be fit and proper case for interference of the Court.

Both the writ petitions, therefore, are dismissed.

The written instructions placed before the Court by Sri B. J. Talukdar, learned Govt. Advocate, Assam be kept on record.